

## AMENDMENTS TO THE CLAIMS

1. (Currently Amended) A method of wireless communication comprising:  
transmitting a first sub-frame associated with a first frame using a first wireless resource;  
transmitting ~~at least one~~ a first sub-frame associated with a second frame using ~~at least a~~  
the first wireless resource and a second wireless resource if an acknowledgement message  
associated with ~~[[a]]~~ the first sub-frame is received~~[[,]]~~; and  
transmitting a second sub-frame associated with the first frame using the first wireless  
resource and transmitting the first sub-frame associated with the second frame using at least a the  
second wireless resource if a non-acknowledgement message associated with the first sub-frame  
is received.
2. (Original) The method of Claim 1, wherein the first and second least wireless resources  
comprise at least one of a channelization code, a channelization tone and an allocate transmit  
power level.
- 3-4. (Canceled)
5. (Currently Amended) The method of Claim ~~[[4]]~~ 1, wherein the ~~at least another~~ second  
sub-frame of the first frame using the first wireless resource is transmitted concurrently with the  
transmitting of the first ~~at least one~~ sub-frame from the second frame using the second wireless  
resource in response to receiving the non-acknowledgement message associated with the first  
sub-frame associated with the first frame.
6. (Original) The method of Claim 5, wherein at least one of the first and second frames  
comprises a plurality of incrementally redundant sub-frames.

7. (Original) The method of Claim 6, wherein at least one of the first and second frames comprises at least one do-not-transmit sub-frame.
8. (Original) The method of Claim 7, wherein the first and second frames are assigned to a single user.
9. (Original) The method of Claim 6, comprising:
- transmitting a subsequent sub-frame of the plurality of incrementally redundant sub-frames of the first frame in response to a non-acknowledgment message associated with a most recently transmitted sub-frame of the first frame.
10. (Original) The method of Claim 9, comprising:
- terminating the transmitting of remaining sub-frames of the plurality of incrementally redundant sub-frames of the first frame in response to receiving an acknowledgement message associated with a most recently transmitted sub-frame of the first frame.
11. (Original) The method of Claim 5, comprising:
- transmitting at least one sub-frame from a subsequent frame
- using at least the first wireless resource if a non-acknowledgement message associated with the second frame is received, and
- using at least the first and the second wireless resources if an acknowledgement message associated with the second frame is received.

12. (Original) The method of Claim 11, wherein the acknowledgement message associated with the second frame is received in response to the receipt of one the incrementally redundant sub-frames of the second frame.

13. (Original) The method of Claim 5, wherein at least one of the first and second frames comprises at least one of a voice sub-frame, a video sub-frame and a wireless gaming sub-frame.

14. (Currently Amended) A method of wireless communication comprising:  
transmitting an acknowledgement message or a non-acknowledgement message indicating whether a first sub-frame associated with a first frame was received using a first wireless resource;

receiving ~~[[one]]~~ a first sub-frame ~~of a plurality of sub-frames~~ associated with a second frame using ~~at least a~~ the first wireless resource and a second wireless resource if an acknowledgement message ~~associated with a first frame~~ is transmitted~~[[,]]~~; and

receiving a second sub-frame associated with the first frame using the first wireless resource ~~receiving the first subframe associated with the second frame~~ using ~~at least~~ the second wireless resource if a non-acknowledgement message ~~associated with the first frame~~ is transmitted.

15. (Original) The method of Claim 14, wherein the first and second least wireless resources comprise at least one of a channelization code, a channelization tone and an allocate transmit power level.

16. (Currently Amended) The method of Claim 15, comprising at least one of:  
receiving ~~[[a]]~~ the first sub-frame associated with the first frame using at least the first wireless resource; and  
failing to receive any sub-frames associated with the first frame before timing out.

**17.** (Currently Amended) The method of Claim **16**, comprising:

awaiting reception of ~~[[one]]~~ the second sub-frame of a plurality of sub-frames associated with the first frame using at least the first wireless resource in response to transmitting the non-acknowledgement message associated with the first frame.

**18.** (Currently Amended) The method of Claim **17**, wherein the ~~[[one]]~~ second sub-frame of the first frame ~~using the first wireless resource~~ is received concurrently with the receiving of the ~~[[one]]~~ first sub-frame from the second frame using the second wireless resource in response to transmitting the non-acknowledgement message associated with the first frame.

**19.** (Original) The method of Claim **18**, wherein at least one of plurality of sub-frames associated with the first and second frames comprises a plurality of incrementally redundant sub-frames.

**20.** (Original) The method of Claim **19**, wherein the first and second frames are assigned to a single user.

**21.** (Original) The method of Claim **19**, comprising:

awaiting reception of a subsequent sub-frame of the plurality of incrementally redundant sub-frames of the first frame in response to a non-acknowledgment message associated with a most recently received sub-frame of the first frame.

- 22.** (Original) The method of Claim **17**, comprising:  
receiving one sub-frame of a plurality of sub-frames associated with a subsequent frame  
using at least the first wireless resource if a non-acknowledgement message  
associated with the second frame is transmitted, and  
using at least the first and the second wireless resources if an acknowledgement  
message associated with the second frame is transmitted.
- 23.** (Original) The method of Claim **22**, wherein the acknowledgement message associated  
with the second frame is transmitted in response to the receipt of one the incrementally  
redundant sub-frames of the second frame.
- 24.** (Original) The method of Claim **18**, wherein at least one of the first and second frames  
comprises at least one of a voice sub-frame, a video sub-frame and a wireless gaming sub-frame.